

13281 U.S. PTO  
011304

PATENT

Attorney's Docket No. COS-99-055C1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR FILING CONTINUATION/DIVISIONAL  
APPLICATION UNDER 37 C.F.R. § 1.53(b)

U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, Mail Stop Patent Application  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, Virginia 22202

22387 U.S. PTO  
10/755445  
011304

Sir:

This is a request for filing a  continuation  divisional application under 37 C.F.R. § 1.53(b) of pending Application No. 09/515,153 filed on February 29, 2000, for METHOD OF MONITORING THE AVAILABILITY OF A MESSAGING AND VOIP NETWORK, by the following named inventor(s):

(a) Full Name Roy Ahoor  
(b) Full Name Kenneth M. Webb  
(c) Full Name Stephen J. Berscheid

The entire disclosure of the prior application from which a copy of the oath or declaration is supplied herewith is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. § 1.63(d)(2), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors being claimed in this application.

(a) Full Name \_\_\_\_\_  
(b) Full Name \_\_\_\_\_  
(c) Full Name \_\_\_\_\_

This application is being filed by more than all the inventors named in the prior application. In accordance with 37 C.F.R. § 1.63(d)(2), the Commissioner is requested to add the name(s) of the following person or persons who are inventors being claimed in this application.

(a) Full Name \_\_\_\_\_  
(b) Full Name \_\_\_\_\_  
(c) Full Name \_\_\_\_\_



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1.  Enclosed is a copy of the prior Application No. 09/515,153 as originally filed February 29, 2000, including copies of the specification, claims, drawings and the executed oath or declaration as filed.
2.  Enclosed is a revised prior application and a copy of the prior executed oath or declaration as filed. No new matter has been added to the revised application.
3.  \_\_\_\_\_ statement(s) claiming small entity status  are enclosed  were filed in prior Application No. \_\_\_\_\_, filed on \_\_\_\_\_.
4.  The filing fee is calculated below  and in accordance with the enclosed preliminary amendment:

CLAIMS					
	NO. OF CLAIMS		EXTRA CLAIMS	RATE	FEE
Basic Application Fee					\$ 770.00
Total Claims	17	MINUS 20 =	0	x \$18.00	\$ 0.00
Independent Claims	2	MINUS 3 =	0	x \$86.00	\$ 0.00
If multiple dependent claims are presented, add \$280.00					\$ 0.00
Total Application Fee					\$ 770.00
If small entity status is claimed, subtract 50% of Total Application Fee					\$ 0.00
Add Assignment Recording Fee of <u>\$40.00</u> if Assignment document is enclosed					\$ 0.00
<b>TOTAL APPLICATION FEE DUE</b>					<b>\$770.00</b>

5.  Charge \$ 770.00 to Deposit Account No. 13-2491 for the fee due.
6.  A check in the amount of \$ \_\_\_\_\_ is enclosed for the fee due.
7.  The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 13-2491. This paper is submitted in duplicate.
8.  Cancel in this application original claims \_\_\_\_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
9.  Amend the specification by inserting before the first line the sentence: - -This application is a continuation of Application No. 09/515,153, filed February 29, 2000.- -

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10.  Transfer the drawings from the pending prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate of this paper is enclosed for filing in the prior application file. (May only be used if signed by person authorized under 37 C.F.R. § 1.138 and before payment of issue fee.)

11.  New drawings are enclosed.

12.  Priority of Application No. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_ (country) is claimed under 35 U.S.C. § 119.  
 The certified copy of the priority application  
 is enclosed  
 was filed on \_\_\_\_\_ in prior Application No. \_\_\_, filed on \_\_\_\_\_.  
 has not yet been filed.

13.  A preliminary amendment is enclosed.

14.  An Information Disclosure Statement is enclosed.

15.  A General Authorization for Payment of Fees and Petitions for Extensions of Time is enclosed.

16.  Also enclosed \_\_\_\_\_.

17.  The power of attorney in the prior application is to MCI WorldCom, Inc..  
a.  The power appears in the papers in the prior application.  
b.  Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.  
c.  Recognize as Associate Attorney \_\_\_\_\_.  
d.  Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

Date: January 13, 2004

By: 

Glenn Snyder  
Reg. No. 41,428

ADDRESS OF SIGNATOR:  
Harrity & Snyder, L.L.P.  
11240 Waples Mill Road  
Suite 300  
Fairfax, Virginia 22030

inventor(s)  
 assignee of complete interest  
 attorney or agent of record  
 filed under 37 C.F.R. § 1.34(a)